

GOVERNMENT OF ANDHRA PRADESH

A B S R A C T

Social Welfare Department – Land Acquisition - West Godavari District – Thogummi Village, Kovvur Mandal – Land Acquired to an extent of Ac.7.31 Cts in RS.No.52/5 etc., for providing house sites to the Weaker Section People – Sanction of Rs.39,96,019/- towards payment of the decretal charges in LA. O.P. No. 34, 35, 36 and 37/94 – Orders - Issued.

SOCIAL WELFARE (LA.1) DEPARTMENT

G.O Rt.No. 129

Dated: 01.03.2014
Read the following:-

1. From the District Collector, West Godavari Lr.No. F5(G4)83/2004, (SW), dated 22.12.2012.
2. From the Commissioner of Social Welfare, A.P., Hyderabad Lr.No.LA3/9506/2006, dt 17.01.2013.
3. From the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad Ref No S2/72/2013, Dt : 31.07.2013.

ORDER:

In the reference 3rd read above, the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has stated that the LAO/RDO, Kovvur, has acquired lands to an extent of Ac. 7.31 Cts situated at Thogummi Village of Kovvur Mandal, in Award No : 9/1993, dt : 20.05.1993 in R.S. No : 52/5 etc., duly fixing the market value of Rs. 53,000/- per acre. Aggrieved by the compensation fixed by the LAO/RDO, Kovvur, the land owners are filed O.P before Sr. Civil Judge, Kovvur in O.P. Nos 34, 35, 36 & 37/1994. The Lower Court on 16.01.2001 has ordered as follows :

1. The document is entitled to recover from respondent /Govt as enhanced compensation to Rs. 70,000/- from Rs. 53,000/- per acre from extent of Ac. 7.31 Cts and
2. That the Claimant is entitled for 30% Solatium the enhanced compensation and
3. That the claimant is entitled for additional amount calculated at 12% p.a. on the enhanced compensation only from the date of Sec 4(1) notification 10.03.93 to the date of award to the date of taking possession whichever is earlier, and
4. That the claimant is entitled for interest on enhanced compensation only excluding the solatium and additional amount at 9% p.a. from the date of taking possession for one year and thereafter at 15% p.a. till realization and
5. That each party do bear their own costs.

Aggrieved by the Lower Court order the Claimants are filed appeal before the Hon'ble High Court of AP in A S.Nos.1755/2001, 1756/2001, 1757/2001 and 1758/2001. The Hon'ble Court have issued orders dated 22.3.2007 as follows-

1. That the market value of the acquired land be and is hereby fixed at Rs. 35/- per Sq. Yd.
2. That the Claimant is also entitled to additional market value at 12% per annum from the date of notification to the date of award or taking possession which ever is earlier and interest @ 9% per annum on the enhanced compensation for a period of one year from the date of notification and thereafter at 15% per annum.

PTO

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3. That save as aforesaid the decree of the Lower Court shall stand confirmed in all other respects.

The District Collector, West Godavari has submitted proposals for sanction of Rs. 39,95,259/- towards payment of balance decretal charges in A S. Nos.1755/2001, 1756/2001, 1757/2001 and 1758/2001 in OP Nos.34, 35, 36, and 37 of 1994 for the lands acquired to an extent of Ac. 7.31 Cts situated at Thogummi Village Kovvur Mandal of West Godavari Dist for providing house sites to the weaker section people.

2. After verification and scrutiny of the proposals submitted by the Commissioner of Social Welfare, A.P., Hyderabad/District Collector, West Godavari, the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has sent the comparative calculation sheet for sanction of Rs 39,96,019/- (Rupees thirty nine lakhs ninety six thousand and nineteen only) towards payment of balance decretal charges in A.S. Nos.1755/2001, 1756/2001, 1757/2001 and 1758/2001 in O.P Nos.34, 35, 36, and 37 of 1994 for the lands acquired to an extent of Ac.7.31 Cts situated at Thogummi Village, Kovvur Mandal of West Godavari District for providing house sites to the weaker section people

3. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs 39,96,019/- (Rupees thirty nine lakhs ninety six thousand and nineteen only) to the Dist Collector, West Godavari towards payment of balance decretal charges in A.S. Nos.1755/2001, 1756/2001, 1757/2001 and 1758/2001 in O.P Nos.34, 35, 36, and 37 of 1994 for the lands acquired to an extent of Ac.7.31 Cts situated at Thogummi Village, Kovvur Mandal of West Godavari Dist for providing house sites to the weaker section people

4. The expenditure sanctioned in para (3) above shall be met within the BE.2013-14 and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

5. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, West Godavari to comply with the Court orders in AS No.1755/2001, 1756/2001 1757/2001, 1757/2001, 1758/2001 in O.P. No. 34, 35, 36 and 37/1994.

6. The District Collector, West Godavari shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To
The Chief Commissioner of Land Administration, A.P., Hyderabad.
The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, West Godavari
Copy to:
The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The District Treasury Officer, West Godavari District.
Finance (Exp.SW/BG) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER